

REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1, 16 and 22-27 have been amended. Claims 6-15, 17-18 and 28-30 have been cancelled without prejudice. No new claims have been added. Therefore, claims 1-5, 16 and 19-27 are now are presented for examination. The following remarks are in response to the final Office Action mailed on July 5, 2005.

35 U.S.C. § 102 Rejection

Claims 1-30 as best understood are rejected under 35 U.S.C. §102(e) as being unpatentable over Guheen et al. U.S. Patent No. 6,519,571 (“Guheen”).

Applicants respectfully submit that Guheen discloses “*utilizing various types of user indicia* such as search requests, products purchased, products looked at but not purchases, products purchased and returned, reasons for returning products, customers stated profile including income level, education level, stated profession, etc. for the purpose of customizing a user interface.” (Abstract; emphasis provided). Guheen further discloses that “[t]he *content management and publishing services* component of the present invention *[is to manage] the content and security of the data interface.*” (col. 219, lines 43-45; emphasis provided).

In contrast, claim 1, in pertinent part, recites “using the aggregated subscription information to determine user data including one or more of users’ preferences, needs, and interest levels; [and] allocating bandwidth in accordance with the user data.” (emphasis provided). Applicants submit that Guheen does not teach or reasonably suggest such a feature. Guheen discloses utilizing various types of user indicia (Abstract); however, Guheen does not disclose using the user indicia to determine user’

preferences, needs, or interest levels, as recited by claim 1. In addition, Guheen does not teach or reasonably suggest allocating bandwidth based on the user data, as recited by claim 1. Accordingly, Applicants respectfully request that the rejection of claim 1 and its dependent claims be withdrawn.

Claims 16 and 24 include limitations similar to those of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 16 and 24 and their dependent claims.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.


Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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